

02/23/2006 16:10 FAX

001/004

MORRISON | FOERSTER

RECEIVED
CENTRAL FAX CENTER

FEB 23 2006

755 PAGE MILL ROAD
PALO ALTO
CALIFORNIA 94304-1018
TELEPHONE: 650.813.5600
FACSIMILE: 650.494.0792
WWW.MOFO.COMMORRISON & FOERSTER LLP
NEW YORK, SAN FRANCISCO,
LOS ANGELES, PALO ALTO,
SAN DIEGO, WASHINGTON, D.C.
DENVER, NORTHERN VIRGINIA,
ORANGE COUNTY, SACRAMENTO,
WALNUT CREEK, CENTURY CITY
TORYO, LONDON, BEIJING,
SHANGHAI, HONG KONG,
SINGAPORE, BRUSSELS

To:

| NAME: | FACSIMILE: | TELEPHONE: |
|---|----------------|----------------|
| COMMISSIONER FOR PATENTS United States Patent and Trademark Office | (571) 273-8300 | (571) 272-4482 |

FROM: Jie Zhou, Ph.D.

DATE: February 23, 2006

| | | |
|-------------------------------------|---|---------------------------|
| Number of pages with cover page: | 4 | Originals Will Not Follow |
|-------------------------------------|---|---------------------------|

Preparer of this slip has confirmed that facsimile number given is correct: 9286/exp7

Comments:

Attorney Docket No.: 514712000600
 Group Art Unit: 1649
 Examiner: C. Borgeest
 Application No.: 10/682,332
 Filing Date: October 8, 2003
 Inventor(s): David L. SHELTON, et al.
 Title: METHODS FOR TREATING PAIN BY ADMINISTERING A NERVE
 GROWTH FACTOR ANTAGONIST AND AN OPIOID ANALGESIC AND
 COMPOSITIONS CONTAINING THE SAME

Papers enclosed:

- 1) Transmittal (1 page)
- 2) Response to Restriction Requirement (2 pages)

To ensure compliance with requirements imposed by the United States Internal Revenue Service, Morrison & Foerster LLP informs you that, if any advice concerning one or more U.S. Federal tax issues is contained in this facsimile (including any attachments), such advice is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

CAUTION - CONFIDENTIAL

This facsimile contains confidential information that may also be privileged. Unless you are the addressee (or authorized to receive for the addressee); you may not copy, use, or distribute it. If you have received it in error, please advise Morrison & Foerster LLP immediately by telephone or facsimile and return it promptly by mail.

PA-1048166

**RECEIVED
CENTRAL FAX CENTER**

FEB 23 2006

PTO/SB/21 (09-04)

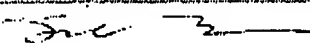
Approved for use through 07/31/2006. OMB 0651-0031

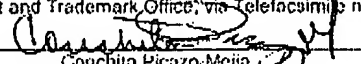
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

| | |
|--|------------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | |
| Application Number | 10/682,332 |
| Filing Date | October 8, 2003 |
| First Named Inventor | David L. SHELTON |
| Art Unit | 1649 |
| Examiner Name | C. Borgeest |
| Attorney Docket Number | 514712000600 |
| Total Number of Pages in This Submission | 3 |

| ENCLOSURES (Check all that apply) | | |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply (2 pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation/Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax Cover Sheet |
| Remarks | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|---|----------|--------|
| Firm Name | MORRISON & FOERSTER LLP (Customer No. 25226) | | |
| Signature |  | | |
| Printed name | Jie Zhou | | |
| Date | February 23, 2006 | Reg. No. | 52,395 |

| CERTIFICATE OF FACSIMILE TRANSMISSION | |
|---|--|
| I hereby certify that this correspondence is being facsimile transmitted on February 23, 2006, to Mail Stop Amendment, Commissioner for Patents, United States Patent and Trademark Office, via Telefacsimile number (571) 273-8300 | |
|  Conchita Picazo-Mojia | |

pa-1048149

RECEIVED
CENTRAL FAX CENTER

FEB 23 2006

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted on February 23, 2006, to Mail Stop Amendment, Commissioner for Patents, United States Patent and Trademark Office, via Telefacsimile number (571) 273-8300.


Conchita Picazo-Merla

Docket No.: 514712000600
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
David L. SHELTON et al.

Application No.: 10/682,332

Confirmation No.: 8297

Filed: October 8, 2003

Art Unit: 1649

For: METHODS FOR TREATING PAIN BY
ADMINISTERING A NERVE GROWTH
FACTOR ANTAGONIST AND AN OPIOID
ANALGESIC AND COMPOSITIONS
CONTAINING THE SAME

Examiner: C. Borgeest

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the restriction requirement set forth in the Office Action mailed January 23, 2006 (Paper No. 20060113), for which a response is due February 23, 2006. Accordingly, this response is timely filed.

pa-1048148

Application No.: 10/682,332

2

Docket No.: 514712000600

Applicants hereby provisionally elect Group I (claims 1-9) for continued examination.


Applicants expressly reserve the right under 35 U.S.C. § 121 to file a divisional application directed to the non-elected subject matter during the pendency of this application, or an application claiming priority from this application.

Applicants request examination of the elected subject matter on the merits.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing (514712000600). However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: February 23, 2006

Respectfully submitted.

By 
Jie Zhou
Registration No.: 52,395
MORRISON & FOERSTER LLP
755 Page Mill Road
Palo Alto, California 94304-1018
(650) 813-5922

pa-1048148